

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; and that I verily believe that I am a joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR OPERATING VARIABLE OPTICAL ATTENUATOR
BY MODULATING THE ATTENUATION THEREOF**

the specification of which is attached hereto.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §§1.56(a) and (b).

I hereby claim the benefit under 35 United States Code, §119(e) of any United States provisional application(s) listed below:

Application Number
60/441,480

Filing Date
22 January 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following patent agent with full power of substitution, association and revocation to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith:

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